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SUPREME COURT, U.S.
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IN THE

Supreme Court of the United States

October Term, 1953

No: 10 Original.

STATE OF ARIZONA,

Complainant,

vs.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CALIFORNIA, CITY OF SAN DIEGO, CALIFORNIA, AND COUNTY OF SAN DIEGO, CALIFORNIA,

Defendants.

UNITED STATES OF AMERICA,

Intervener.

STATE OF NEVADA,

Intervener.

Motion on Behalf of the California Defendants for Leave to File an Amended Answer to the Bill of Complaint of Arizona

and

Amendatory Answer.

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Motion on Behalf of the California Defendants for Leave to File an Amended Answer to the Bill of Complaint of Arizona.

To the Honorable, the Chief Justice, and the Associate

City of San Diego and County of San Diego (hereinafter called the California Defendants, by their duly authorized attorneys respectfully move the Court for leave to file this amendment to Paragraph 68 of their Answer to Arizona's Bill of Complaint; all other provisions of that said Answer remaining unchanged.

Statement.

Paragraph XXII of Arizona's Bill of Complaint alleged that the controversy between plaintiff and defendants relates to three legal questions there summarized. The Answer of the California Defendants to Arizona's Bill of Complaint, paragraph 68, denied that the subject of the controversies is fully or accurately set out in the Bill of Complaint, and alleged that there are additional subjects of controversy between complainant and defendants.

After the filing of the Answer of Defendants to Arizona's Bill of Complaint, the United States of America and the State of Nevada filed Petitions of Intervention. These Petitions broadened the scope of the litigation, adding additional subjects of controversy. The California Defendants, in their Answers to those Petitions, summarized the issues in the controversy as disclosed by the pleadings up to that time. That summary of the issues is appended as Exhibit A to the Answer of California Defendants to Petition of Intervention on Behalf of the United State of America and is incorporated by reference in their Answer to Nevada's Petition.

To bring the defendants' pleadings in answer to Arizona into conformity with those subsequently filed in an

Amendatory Answer.

Paragraph 68 of the Answer of the California Defendants to Arizona's Bill of Complaint is amended to read as follows:

Answering Paragraph XXII of the said Bill of Complaint, admit that controversies exist between the plaintiff and the defendants as to the interpretation, construction and application of the Colorado River Compact, the Boulder Canyon Project Act and the California Limitation Act, but deny that the subject of such controversies is fully or accurately set out in the said Paragraph XXII, and allege that there are additional subjects of controversy disclosed by Affirmative Defenses and denials contained in this Answer. Deny the accuracy or validity of the alleged solutions to the controversies suggested by Arizona in said Paragraph XXII, and deny that Arizona's position is sustained by this Court's decision in *Arizona v. California*, 292 U. S. 341, or in any other decision. Allege that the controversy, as disclosed by the pleadings filed to date, is summarized in Exhibit "A" annexed to Defendants' Answer to the Petition of Intervention in behalf of the United States and herein incorporated by reference as though fully stated.

Respectfully submitted,

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July, 1954.